

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TOMMY LEE PENDLEY

COMPLAINANT

V.

LOGAN TELEPHONE COOPERATIVE, INC.

AND

SOUTH CENTRAL BELL TELEPHONE COMPANY

DEFENDANTS

CASE NO. 93-430

O R D E R

On November 12, 1993, Tommy Lee Pendley filed a complaint against Logan Telephone Cooperative, Inc. ("Logan") alleging that he does not receive local calling privileges to his county seat in Muhlenberg County or other areas of Muhlenberg County. He also complains that his 911 emergency service calls are routed to Butler County rather than Muhlenberg County and thus would not receive an immediate response. A number of Mr. Pendley's neighbors also receive service from Logan and are subject to the same conditions but others receive service from South Central Bell Telephone Company ("SCB") under a "grandfather" agreement arising from prior litigation.

The Commission ordered the defendant, Logan, to satisfy or answer the complaint of Mr. Pendley. Logan's response offered no

solution to the problem without the involvement of SCB; therefore, the Commission joined SCB as a party to the proceeding and ordered it to respond. The Commission also scheduled an informal conference at its office on March 16, 1994 for the parties to discuss and seek a resolution of the complaint.

SCB responded to the Commission's Order by proposing an area exchange between Logan and SCB. This proposal was discussed at the informal conference and appears to be the best technical and feasible solution to the complaint. In addition, customers in the Rochester exchange in Ohio County and the Beaver Dam exchange in Butler County would also gain local calling to most of their home counties including their county seats. They would also gain access to 911 emergency services directly routed to their home counties. Subsequent to the informal conference SCB and Logan filed a joint proposal, attached to this Order as Appendix A, which proposes the exchange of certain areas discussed at the informal conference.

The Commission has reviewed the joint proposal and the responses to an information request associated with the proposal and finds that it is reasonable given the limited number of customers involved and that no customer appears to be adversely affected. Although some customers will benefit more than others depending on their individual calling patterns, all customers will receive the benefit of 911 emergency service in their home counties. The Commission recognizes this resolution is unique to the circumstances presented in this complaint and would not be feasible or appropriate in every case.

The Commission being sufficiently advised, IT IS HEREBY ORDERED that:

1. The joint proposal submitted by Logan Telephone and SCB is adopted.

2. A copy of this Order shall be served by Logan Telephone and SCB upon all customers included in the joint proposal along with an explanation of the proposed rate changes which would be incurred by each customer. Proof of notification shall be filed by Logan Telephone and SCB within 30 days of this Order.

3. Customers of SCB and Logan Telephone are hereby notified that the joint proposal will be implemented unless their objections are filed with this Commission not later than 60 days from the date of this Order.

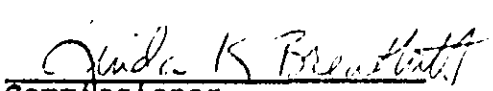
4. If no customer objections are filed within 60 days of the date of this Order, SCB and Logan Telephone shall implement the provisions of the joint proposal without further Order.

Done at Frankfort, Kentucky, this 20th day of July, 1994.


PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION
IN CASE NO. 93-430 DATED JULY 20, 1994.

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

In the Matter of:

APR 04 1994

TOMMY LEE PENDLEY

PUBLIC SERVICE
COMMISSION

COMPLAINANT

V.

LOGAN TELEPHONE COOPERATIVE, INC.

CASE NO. 93-430

AND

BELLSOUTH TELECOMMUNICATIONS, INC.

d/b/a SOUTH CENTRAL BELL TELEPHONE
COMPANY

DEFENDANTS

JOINT PROPOSAL OF SOUTH CENTRAL BELL TELEPHONE
COMPANY AND LOGAN TELEPHONE COOPERATIVE, INC.

The complainant, Tommy Lee Pendley, initiated this case with the Public Service Commission seeking to address certain concerns he had regarding his telephone service. On March 16, 1994, representatives of Logan Telephone Cooperative, Inc., (herein "Logan"), and South Central Bell Telephone Company (herein "South Central Bell"), and the Commission staff met with Mr. Pendley and members of his family at an informal conference. Mr. Pendley essentially had two concerns with his telephone service. First, Mr. Pendley was concerned that his 911 calls were routed to Morgantown (the county seat of Butler County) rather than to Greenville, the county seat of Muhlenberg County, the county in which Mr. Pendley lives and from which he receives emergency services. Second, Mr. Pendley was concerned that he could not call his county seat nor virtually any other Muhlenberg County location on a local basis.

The calling needs of other Muhlenberg County residents, who are located in the Dunmor exchange, were also discussed. These customers do not have local calling to Greenville, and calls to 911 are transferred through Russellville rather than being directly routed to emergency services in Muhlenberg County.

After extensive discussions, it became clear that Mr. Pendley's concerns involving his service could be resolved by an area exchange between Logan and South Central Bell. Therefore, the Commission asked Logan and South Central Bell to submit a joint proposal regarding an area exchange. The following constitutes that proposal.

South Central Bell and Logan propose an area transfer between the two companies which would reconcile exchange boundaries with county lines in three separate areas. The three areas are: 1.) The part of the Rochester exchange located in Muhlenberg County. (Shown as #1 on the attached map). This area encompasses Mr. Pendley's residence. A transfer of this area from Logan's Rochester exchange to South Central Bell's Drakesboro exchange would allow telephone subscribers to have local calling to other Drakesboro subscribers, to Greenville, the county seat, and to the other Muhlenberg county exchanges of Breman and Central City. The transfer would also allow these subscribers to reach Muhlenberg County Emergency Services with 911 service. There are currently eight subscribers in this area with South Central Bell service through a grandfathered agreement and there are nine Logan subscribers. 2.) The part of the Rochester exchange located in Ohio County. (Shown as #2 on the attached map). This area is just across the Mud River from the

area described in (1) above. Transfer of this area from Logan's Rochester exchange to South Central Bell's Beaver Dam exchange would give the five customers located in the Rochester exchange local service to the rest of Beaver Dam, to Hartford, the county seat, and to Centertown and Fordsville. Emergency services would be available from Hartford with 911 service. 3.) The part of the Beaver Dam exchange located in Butler County. (Shown as #3 on the attached map). Transferring 20 customers in this area from South Central Bell's Beaver Dam exchange to the Logansport exchange would give these customers local service to the rest of the Logansport exchange and to their county seat, Morgantown. Emergency services from Butler County would also be accessible for these customers with the 911 service.

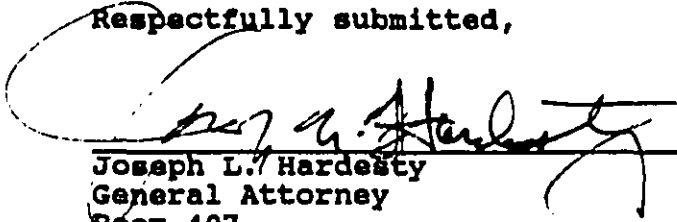
The area exchange as proposed above is based on the assumption that all three areas will be included in the exchange. If any of the three should be excluded for any reason, the proposed area exchange would be voided.

Both Logan and South Central Bell consider the area transfers as described above to be the preferred solution to the calling needs in this area. This is somewhat of a unique situation because of the specific complexities involved (incongruence of exchange boundaries with county lines, 911 availability, involvement of two telephone companies, grandfathered customers, and the relatively small number of subscribers involved). Because of the uniqueness of this situation, this proposal is not intended to set a precedent for other similar situations where calling needs do not match current local calling areas. Although South Central Bell and Logan will

exchange existing outside plant in the three areas, additional investment will be required by both companies to tie into existing facilities. In the future, preferred alternatives to an area exchange would be optional services such as South Central Bell's Area Calling Service.

To address the calling needs of Dunmor subscribers in Muhlenberg County, Logan and South Central Bell commit to offer an Area Calling Service type plan in the Dunmor and Greenville exchanges as soon as the plan can be formulated, probably in early 1995. This arrangement is also contingent on the area transfer of the three areas addressed above. The 911 problem will be resolved with conversion of the Muhlenberg County system to E911 through operation of the Selective Routing feature.

Respectfully submitted,

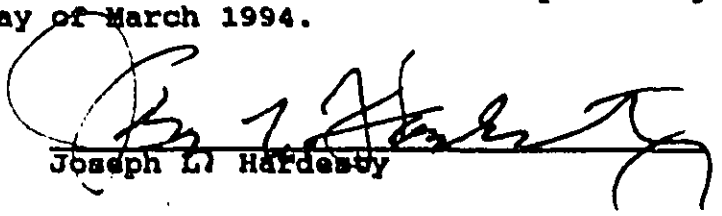


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TELECOMMUNICATIONS, INC.,
d/b/a SOUTH CENTRAL BELL
TELEPHONE COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on the individuals on the attached Service List by mailing a copy thereof, this 30th day of March 1994.


Joseph L. Hardesty

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